(12)

No. 01-631

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SUPREME COURT, U.S.

IN THE

SUPREME COURT OF THE UNITED STATES

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

UNITED STATES OF AMERICA,

Petitioner,

-vs.-

CHRISTOPHER DRAYTON,

Respondent.

RESPONDENT DRAYTON'S SUPPLEMENT TO MOTION TO STRIKE

RANDOLPH P. MURRELL
FEDERAL PUBLIC DEFENDER

GWENDOLYN SPIVEY*
Assistant Federal Public Defender
Florida Bar No. 0295450
227 N. Bronough Street, Suite 4200
Tallahassee, Florida 32301
(850) 942-8818
Counsel of Record for Respondent Drayton*

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GWENDOLYN SPIVEY, counsel of record for Respondent Christopher Drayton, respectfully states:

1. She received a telephone call from Mr. Drayton this morning.

2. Mr. Drayton advised that he wants undersigned counsel to remain his attorney in this case. Mr. Drayton advised that he has been trying to call her for the past two (2) weeks.

3. Counsel asked Mr. Drayton why he signed the letter from Mr. Koch. Mr. Drayton said that he and his relatives had received calls from Mr. Koch and that he did not really understand why Mr. Koch wanted him to sign the letter. Mr. Drayton said Mr. Koch told him he could still have the undersigned as his attorney and he thought it was just to let Mr. Koch get copies or something. Mr. Drayton also related other advice he had been given in these conversations which appeared to be misleading.

4. Mr. Drayton is executing a letter verifying that this is his choice, which counsel will maintain in the case file or provide to the Court if desired.

Counsel respectfully renews her request that this Court deny the attempted appearance of Mr. Koch on behalf of Respondents or, alternatively, limit it to Respondent Brown.

RESPECTFULLY SUBMITTED: February 16, 2002.

By: Gwendolyn Spivey
GWENDOLYN SPIVEY
Assistant Federal Public Defender

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UNITED STATES OF AMERICA,

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v.

CHRISTOPHER DRAYTON,

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CERTIFICATE OF SERVICE

I CERTIFY, pursuant to Supreme Court Rule 29.5, that on this 16th day of February, 2002, a true copy of Respondent Drayton's Supplement to Motion to Strike was mailed to Assistant United States Attorney Michael Simpson, 111 N. Adams Street, 4th Floor, Tallahassee, FL 32301; mailed and faxed to the Office of the Solicitor General, Room 5712, Department of Justice, 950 Pennsylvania Avenue, NW, Washington, D.C. 20530-0001 (202/633-2201); faxed to Respondent Brown's attorney, Steven Seliger, Esquire, Post Office Box 324, Quincy, Florida 32353-0324; faxed to James B. Koch, Esquire, Gardiner, Koch and

Weisberg, 53 West Jackson Blvd., Suite 1550, Chicago, IL 60604; and mailed to Respondents, Mr. Christopher Drayton, 16000 Bunche Park School Drive, Opa Locka, Florida 30054, and Mr. Clifton Brown, Jr., 19220 N.W. 37th Avenue, Miami, Florida 33056.

Respectfully submitted,

RANDOLPH P. MURRELL
FEDERAL PUBLIC DEFENDER

By: Gwendolyn Spivey

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